

DATA ITEM DESCRIPTION

Title: Institutional Analysis and Institutional Control Plan

Number: OE-100.01

Approval Date: 20021001

AMSC Number:

Limitation:

DTIC Applicable: No

GIDEP Applicable: No

Office of Primary Responsibility: CEHNC-OE-CX

Applicable Forms:

Use/Relationship: The Institutional Analysis and Institutional Control Plan will be used to provide the requirements for Institutional Control Analyses and Institutional Control Plans that are prepared as part of the Engineering Evaluation/Cost Analysis (EE/CA) Reports for Ordnance and Explosives (OE) projects.

Requirements:

1. The Contractor shall prepare an Institutional Analysis and an Institutional Control Plan. Refer to EP 1110-1-24 for detailed information. Institutional controls rely on existing powers and authorities of various government agencies to protect the public at large from OE risks. Instead of direct elimination of the OE from the site, these plans rely on behavior modification and access control strategies to manage residual risk remaining at an OE site. An objective of the Institutional Analysis is to identify government agencies having jurisdiction over properties containing OE and to assess their appropriateness, capability, and willingness to assert this control. Institutional control alternatives selected for evaluation shall be based on their apparent ability to satisfy project objectives. Potentially effective institutional controls shall be developed and evaluated as a part of the EE/CA.

2. Institutional Analysis. For each institution selected for review, the following information shall be provided by the Contractor:

2.1. Name of Agency

2.2 Origin of Institution

2.3 Basis of Authority

2.4 Sunset Provisions (refers to the periodic review of government agencies in order to continue their existence)

2.5 Geographic Jurisdiction

2.6 Public Safety Function

2.7 Land Use Control Function

2.8 Financial Capability (in general terms only; not detailed accounting).

2.9 Desire to participate in the institutional control program.

2.10 Constraints to Institutional Effectiveness.

3. Institutional Analysis Report. Upon completion of the data collection, the contractor shall document the results of the study in an Institutional Analysis Report. The Report shall include:

3.1 Purpose of Study

3.2 Methodology

3.3 Scope of Effort

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3.4 Selection Criteria (Jurisdiction, Authority, Mission)

3.5 Acceptance of Joint Responsibility (desire to participate in the institutional control program)

3.6 Technical Capability

3.7 Intergovernmental Relationships (Ability to partner with other agencies)

3.8 Stability

3.9 Funding Sources Recommended for Detailed Analysis

3.10 Recommendations

4. Institutional Controls Alternatives Analysis. Institutional controls alternatives for detailed analysis may consist of single or combined strategies, as appropriate. These alternatives must be completely formulated. All management, execution, and support roles shall be identified. All costs to participating institutions shall be estimated by the contractor. Candidate strategies may involve concepts similar to the following:

Access Control Alternatives

Direct intervention like fencing and other barriers combined with trespass law enforcement

Land use restrictions (zoning laws and enforcement)

Regulatory control (permit application, review, and approval of development plans)

Passive measures such as dedication of property to appropriate land uses

Behavior Modification Alternatives

Notification of real estate defect

Notices attached to building and/or construction permits

Training clinics, education for children, etc.

5. Institutional Control Plan. The Contractor shall prepare an Institutional Control Plan covering the following elements:

5.1 General description of site boundaries

5.2 Specific institutional controls that will be used on the site

5.3 Discuss how the proposed institutional controls will reduce the risk from residual OE

5.4 Identify the local, state, Federal, or private agencies, or individuals who will be involved in the implementation, administration, enforcement, and/or maintenance of the institutional controls.

5.5 Identification of short-term and long-term costs and funding sources

5.6 The requirements and schedule for implementation and inspection of the institutional controls

5.7 Specify how long the institutional controls will have to remain in place

5.8 Specify the procedures for modification or termination of the institutional controls

5.9 Develop a Land Use Matrix reflecting the potential response alternatives, cost, time until the property will be available for reuse, restrictions (if any) on use, alternatives for reuse, benefit, potential results of combinations of various institutional control alternatives, and potential for reuse at completion of the response.

6. Residual Risk. Each selected institutional control alternative shall be assessed for its role in reducing residual risk (that from OE not eliminated by physical removal alternatives or left due to incompatibility of physical removal

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with community needs). Normal behavior of reasonable persons is the model for analysis. Statistical, numerical and phenomenological expressions should be excluded.

7. End of DID OE-100.01.